

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISIONJULIA C. DUDLEY, CLERK
BY: s/ F. COLEMAN
DEPUTY CLERKROBERT B.,¹*Plaintiff,*

v.

ANDREW M. SAUL,
*Acting Commissioner of Social Security,**Defendant.²*

CASE NO. 6:17-cv-00094

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the parties' cross-motions for summary judgment (dkts. 20, 28) and the Report & Recommendation of United States Magistrate Judge Robert S. Ballou (dkt. 36, hereinafter "Report"). Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Ballou for proposed findings of fact and a recommended disposition.

After a review of the record in this case, and no objections having been filed to the Report within fourteen days of its service upon the parties, I will adopt the Report. Accordingly:

1. The Report is hereby **ADOPTED** in its entirety, (dkt. 36);
2. Plaintiff's motion for summary judgment is **DENIED**, (dkt. 20);
3. Defendant's motion for summary judgment is **GRANTED**, (dkt. 28).

¹ The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

² Andrew M. Saul became Commissioner of Social Security in June 2019. Commissioner Saul is hereby substituted for the former Acting Commissioner, Nancy A. Berryhill, as the named defendant in this action. *See* 42 U.S.C. § 405(g), Fed. R. Civ. P. 25(d)

This case is hereby **DISMISSED** and stricken from the active docket of the Court. The Clerk of Court is directed to send a copy of this Order to counsel of record.

Entered this 9th day of July, 2019.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE